

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

DENNIS HOLT,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

CIVIL ACTION

No. 08-2410-KHV

ORDER

Dennis Holt appeals the final decision of the Commissioner of Social Security to deny disability insurance benefits and supplemental security income. On October 6, 2009, Magistrate Judge Gerald B. Cohn recommended that the Commissioner's decision be reversed and that this case be remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings. See Report And Recommendation (Doc. #22). The deadline for written objections to the report and recommendation was October 21, 2009. See Rules 72(b) and 6(a), Fed. R. Civ. P. The parties have not objected. The Court hereby adopts the Report And Recommendation (Doc. #22) in its entirety.

IT IS THEREFORE ORDERED that the Commissioner's decision be and hereby is **REVERSED**. This case is **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report And Recommendation (Doc. #22) filed October 8, 2009.

Dated this 12th day of November, 2009, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge